



## **Recreation Commission Agenda and Report**

### **General Order of Business**

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|---|---|
| 1. Call to Order and Salute to Flag     | 7. Action Items                         |
| 2. Roll Call                            | 8. Written Communications               |
| 3. Consent Calendar                     | 9. Commission Referrals                 |
| 4. Approval of Minutes                  | 10. Commission and Staff Communications |
| 5. Oral Communications                  | 11. Adjournment                         |
| 6. Staff Presentations/Ceremonial Items |   |

### **Order of Discussion**

Generally, the order of discussion after introduction of an item by the Chair will include comments and information by staff followed by Recreation Commission questions or inquiries. The applicant, or their authorized representative, or interested citizens may then speak on the item. At the close of public discussion, the item will be considered by the Recreation Commission and action taken.

### **Consent Calendar**

Items on the Consent Calendar (printed on separate sheet) are considered to be routine by the Recreation Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner or citizen so requests, in which event the item will be removed from the Consent Calendar and considered in its normal sequence on the agenda.

### **Addressing the Recreation Commission**

Any person may speak on any item under discussion by the Recreation Commission after receiving recognition by the Chair. Speaker cards will be available at the speaker's podium prior to and during the meeting. To address the Commission, a card must be submitted to the Clerk indicating name, address and the number of the item upon which a person wishes to speak. Speakers are required to line up to conserve time between speakers. When addressing the Recreation Commission, please walk to the rostrum located directly in front of the Commission. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit may be set by the Chair for each speaker. In the interest of time, please limit your comments to new material; do not repeat what a prior speaker has said.

### **Oral Communications**

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section. Please be aware provisions of California Government Code Section 54954.2(b) prohibit the Recreation Commission from taking any immediate action on an item which does not appear on the agenda, unless it meets stringent requirements. The Chair may limit the length of your presentation.

<b>Agenda and Report</b>	•	<b>Fremont Recreation Commission Meeting</b>	•	<b>November 5, 2014</b>
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**See Table of Contents for Meeting Location**

*See Reverse*

## Assistance

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the Parks & Recreation Department at (510) 494-4347.

## Information

For Information on current agenda items please contact the Parks and Recreation Department at (510) 494-4347.

Copies of the Agenda and Report are available at the Parks and Recreation Department administrative office at 3300 Capitol Avenue, Building B and are available at each Commission meeting. In addition, complete agenda packets will be available for review at the Commission meeting or at the Parks and Recreation Department office three days prior to Commission meetings.

Information about the City or items scheduled on the Agenda and Report may be referred to:

**Tracey Leung, Executive Assistant  
Community Services Department  
3300 Capitol Avenue, Building B  
Fremont, California 94538**

**Telephone: (510) 494-4347**

***Your interest in the conduct of your City's business is appreciated.***

### **Recreation Commission**

Lila Bringhurst  
John Dutra  
John Herndon  
Brian Hughes  
Frank Pirrone  
Pavan Vedere  
Laura Winter

### **Department Staff**

Annabell Holland, Community Services Director  
Kathy Cote, Environmental Services Manager  
Kim Beranek, Recreation Superintendent II  
Esther deLory, Management Analyst II  
Matt Herzstein, Water Park Operations Manager  
Kelly King, Recreation Superintendent II  
Kyle Kramer, Parks Superintendent  
Monica Mathiesen, Urban Landscape Manager  
Ken Pianin, Solid Waste Administrator  
Roger Ravenstad, Senior Landscape Architect  
Laurie Rogers, Recreation Superintendent II  
Lance Scheetz, Sales and Revenue Manager

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**FREMONT RECREATION COMMISSION REGULAR MEETING**  
**CITY COUNCIL CHAMBERS**  
**3300 CAPITOL AVENUE, BUILDING “A”**  
**FREMONT, CALIFORNIA 94538**  
**NOVEMBER 5, 2014**

**1. CALL TO ORDER AND SALUTE TO THE FLAG**

**2. ROLL CALL**

**3. CONSENT CALENDAR**

**4. APPROVAL OF MINUTES - July 2, 2014**

**5. ORAL COMMUNICATIONS**

**6. STAFF PRESENTATIONS/CEREMONIAL ITEMS**

Staff will give a brief presentation on the Olive Hyde Art Gallery.

**7. ACTION ITEMS**

**7.1 CONSIDER THE DEDICATION OF PARK LAND ON PROPERTY AT THE CORNER OF PASEO PADRE PARKWAY AND STEVENSON BOULEVARD.**

**Consider the Evaluation of an Approximately 1.2 Acre Site at the Corner of Paseo Padre Parkway and Stevenson Boulevard According to the “Criteria for Selection of Park Sites” and Other City Policies Pertaining to the Dedication of Park Land.**

**Contact Person:**

Name:	Roger Ravenstad	Annabell Holland
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**8. WRITTEN COMMUNICATIONS**

**9. COMMISSION REFERRALS**

**10. COMMISSION AND STAFF COMMUNICATIONS**

**11. ADJOURNMENT**

**AGENDA**  
**FREMONT RECREATION COMMISSION REGULAR MEETING**  
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**Executive Summary:** This report contains an assessment of approximately 1.2 acres of vacant City-owned land at Paseo Padre Parkway at Central Park according to the site selection criteria in the City’s General Plan for the possible dedication as park land. The dedication of this park land will satisfy the park land dedication fee for the State Street Mixed Use project. This report includes a recommendation that the Recreation Commission recommend the City Council find

that the 1.2 acres of property at Paseo Padre Parkway is in conformance with the General Plan criteria.

**Background:** It is an established City Council priority to transform the downtown into a vibrant mixed use urban environment. To implement this vision, the Downtown Community Plan (DCP) was adopted in 2012 that set forth details for a new urban, mixed-use 110-acre downtown. Downtown will become a focal point in the City and distinctive destination for residents and visitors alike. To implement a near-term objective of the DCP, the City has collaborated with a developer, TMG/Regis Homes, on the disposition and development of City-owned property at 39155 State Street for a proposed mixed-use project, known as “State Street Mixed-Use.” The project would include up to 157 residential units and approximately 21,000 square feet of retail space. The City-property would serve as a catalyst for implementation of the DCP and entice additional investment within downtown.

In October 2014, the project was recommended for approval by the Planning Commission. As of the writing of this report, the project is scheduled for consideration by the City Council on November 4, 2014. Once the developer is able to secure all necessary approvals and meet all conditions precedent to close on the property, the property would be transferred to the developer for development of the project.

The project includes a Disposition and Development Agreement (DDA) between the developer and the City, which details the development of the property. The DDA would not only allow for the transfer of the property to the developer but would also provide for City financial assistance to close a financing feasibility gap. The project’s economics must be in balance in order for the project to be financially feasible. Financial assistance from the City would be in the form of a write-down of the value of land, financial assistance help to defray the significant costs of constructing “complete” public streets to implement the DCP, and the City satisfying the park dedication in-lieu impact fee for the development through the use of its own surplus property. To help close the financial feasibility gap for State Street Mixed-Use project, staff recommends dedication of 1.2 acres of surplus city-owned land at the corner of Stevenson Boulevard and Paseo Padre Parkway to become parkland and added to Fremont Central Park to satisfy the park dedication in-lieu fee.

The proposed dedication of park land at Paseo Padre Parkway must comply with the Parks and Recreation Master Plan and the Parks and Recreation Chapter of the General Plan. The “Criteria for Selection of Park Sites” of the Parks and Recreation Master Plan sets forth the requirements used to evaluate parcels for acquisition or dedication as city-owned park land. One criterion requires the Recreation Commission to review and make recommendations to the City Council about any parcel under consideration for inclusion into Fremont’s park system. The specific criteria which are evaluated for the Paseo Padre Parkway site in this report are: conformance with City of Fremont policies, physical configuration, topography, encumbrance, access, environmental constraints, and compatibility with surrounding land uses, and operations, maintenance and supervision costs and impacts. The report concludes with a summary and recommendation.

## DISCUSSION/ANALYSIS:

**Dedication of 1.2 Acres of Park Land at Paseo Padre Parkway:** The dedication of 1.2 acres of city owned land as park land is subject to the criteria for the selection of park sites identified in the General Plan and the Park and Recreation Master Plan along with other City policies. The property is located at the corner of Paseo Padre Parkway and Stevenson Boulevard, adjacent to the Teen Center to the north and south of the public library. The property is a portion of a larger 96.19 acre parcel, most of which is park land incorporated into the 400-plus acre Central Park. Approximately 5.75 acres of this larger 96.19 acre parcel is identified in the City General Plan as public facility. The intent of this designation was to accommodate a performing arts facility. The original performing arts/public facility land was over 8 acres in size, however on February 4, 2014 the City Council dedicated 2.5 acres of the public facility land as park land leaving approximately 5.8 acres remaining as public facility. The recent update of the City General Plan, adopted by City Council in December 2011, relocates the potential performing arts facility from this property to the downtown, adjacent to a future City Hall. The designation as “public facility” on these 5.8 acres still remains in the General Plan (see Exhibit A).

*Conformance with City Policies:* The site’s General Plan designation is Public Facility (PF). The zoning ordinance allows public parks in public facility zones as a conditionally permitted use. After the property is dedicated, the City would bring a General Plan amendment to designate 1.2 acres of the 5.8 acres as Open Space/Park to City Council.

The proposed project will not conflict with any applicable land use plan, policy, or regulation of a General Plan designation. The City of Fremont has primary jurisdiction over the project site.

Following dedication of the site as park land, the City may choose to move forward with design and development of the land as part of Central Park, which is classified as a citywide park. The General Plan describes a citywide park as follows:

*“Citywide parks provide for a diverse range of recreational and cultural activities. These parks provide for the active and passive recreation needs for the largest portion of the City’s population. Citywide parks are appropriate for the siting of special facilities. Citywide parks can also serve as neighborhood parks for nearby residents.”*

The proposed future citywide park designation may be considered appropriate for the site due to its adjacency to Central park and level topography, which allows for efficient park use of land. The lack of adjacent residential homes, fronting on Stevenson Boulevard, and neighboring teen center and Central Park make this an ideal location for the higher impact uses associated with a citywide park.

The proposed project is consistent with the following General Plan goals and policies:

### *General Plan Goals/Policies*

- Goal 2-1: City form and structure

- Policy 2-1.4: Neighborhoods with safe and convenient access to services, schools and parks
- Goal 2-2: Directing change to ensure continued availability of public services, and also protects the natural environment.
  - Policy 2-2.12: Land banking to utilize vacant or underutilized land for long term development of public facilities, parks and other uses for the public benefit.
- Goal 2-3: Complete Neighborhoods
  - Policy 2-3.7: Green neighborhoods that integrate open space, parks, trees and natural features into Fremont's neighborhoods to enhance their visual quality and improve access to nature and recreation.
- Goal 2-6: Open Space
  - Policy 2-6.4: Parks should be recognized as fundamental to Fremont's quality of life, and should be carefully managed to create balance between passive and active open space.

#### *Parks and Recreation General Plan Goals/Policies*

- Goal 8-1: A wide Range of Parks and Recreational Facilities
  - Policy 8-1.1: Parks and Recreational Facility Guidelines to develop parks and recreation facilities consistent with the standards and guidelines in the General Plan and the Parks and Recreation Master Plan.
  - Policy 8-1.3: Standards for New Parks and Recreation Facilities to acquire and develop new park lands and recreational facilities consistent with City standards

#### *Parks and Recreation Implementation Actions:*

- Implementation 8-1.3.C: Land banking to consider purchasing land or accepting land dedication suitable for future park and recreational uses when the land becomes available ("land banking"), even if there are insufficient funds to develop and maintain facilities at the time.

*Park and Recreation Master Plan – Criteria for Selecting Park Sites:* The 1.2 acre site at Paseo Padre Parkway is consistent with the Park and Recreation Master Plan Criteria for Selecting Park Sites in the following ways:

1. Physical Configuration: The proposed 1.2 acre area is directly adjacent to the Teen Center land. The site is essentially level with no significant vegetation or natural features. As part of the larger Central Park, a range of recreational improvements could be built according to the development standards for citywide parks included in the General Plan.

*Staff comment: The site configuration is appropriate for the acquisition and development as a neighborhood park.*

2. Topography: The Criteria for Site Selection require new city parks to have an average

slope gradient no greater than 5% to provide flat, usable recreation spaces. This property is generally flat; thus, site topography would not preempt development to the City standards for citywide parks.

*Staff comment: The site topography is well suited to park development.*

3. **Encumbrance:** The site is not encumbered with easements which would preclude park development. No power lines are situated on the site. The site is in a liquefaction zone, which requires structural design review for structures. The area is in the 100 year Flood Zone as is the rest of Central Park.

*Staff comment: The site is not encumbered with any easements or other restrictions that would prevent development of the site as a citywide park.*

4. **Access:** The site has good access from a local and citywide perspective. Primary vehicular access to the site is from Sailway Drive, which connects to Paseo Padre Parkway to the south. The frontage of the site on Paseo Padre Parkway is improved with sidewalk curb and gutter making it accessible to pedestrian and bicycle traffic.

*Staff comment: The site provides safe and convenient access for local residents.*

5. **Environmental constraints:** The land has remained undeveloped since the creation of the adjacent Central Park. Any park development proposal will be accompanied with an analysis for substances incompatible with a public park and mitigated within the project. Prior use of this site is agricultural, typical of most of Fremont and there is no knowledge of any uses on the site that would have used hazardous materials.

*Staff comment: The site is not known to be constrained by hazardous materials or unsafe environmental conditions, but future park development will be accompanied by detailed review of site conditions and necessary mitigations incorporated into the project design.*

6. **Compatibility with Surrounding Land Uses:** Existing land uses adjacent to the site are:  
**To the north:** Alameda County Library and Stevenson Boulevard.  
**To the south:** Teen Center and Sailway Drive (park land).  
**To the east:** Central park, Lake Elizabeth, and former City Hall site (now park land).  
**To the west:** Paseo Padre Parkway and commercial development.

Dedication of the site to park land as a citywide park would be consistent with the historic development pattern throughout Fremont, where citywide parks are located within higher traffic and use areas. The adjacent Paseo Padre Parkway and Stevenson Boulevard(s) are both thoroughfare streets with high volumes of traffic. The adjacent Central Park, Teen Center, and Library are all compatible public uses.

*Staff comment: Dedication and development of this site for a park would be compatible with all the existing land uses in the area.*



7. Maintenance Impacts: The size, shape and general physical characteristics of the site would not create maintenance impacts disproportionate to the benefit provided to the community by expanding Central Park in this area. Per City Council policy, all new park development is required to have a funding plan for ongoing maintenance.

*Staff comment: Dedication and development of this park would not create undue maintenance impacts on the City's park system under current policy.*

8. Capital Improvements, Operations, and Supervision Costs: The development of this park could be funded with Park Facilities fees, which are intended for this purpose. The actual costs of operations and supervision will be considered in more detail during design development.

All public utilities (electric, water, storm drainage, and sanitary sewer) are available to the site. Depending on the final site design of the park, some or all of the utility services will need to be extended into the site upon development.

*Staff comment: Costs of capital improvements, operations and supervision can be addressed in the City's standard operational and capital budget processes.*

**Future General Plan Designation:** The Paseo Padre Parkway site will need General Plan amendment to change the uses allowed on this property. The General Plan amendment will be presented to the City Council for consideration at a later date.

The Paseo Padre Parkway site will need a General Plan amendment to clarify that these 1.2 acres are park land and now counted as part of the City's park land inventory.

**Environmental Review:** Environmental review is currently underway with the Planning Division staff and will be presented to City Council with the consideration of the park land dedication for Paseo Padre Parkway. Staff anticipates that this land dedication will result in a Categorical Exemption. Additional environmental impact assessment will be required concurrent with the preparation of a site development plan for the new park land. This process will include the opportunity for public agencies and members of the community to provide comments.

**Summary:** The Paseo Padre Parkway site represents an opportunity for the City to use undeveloped property for park land, whose assets, such as proximity to Central Park and Teen Center, flat topography, accessibility, and lack of environmental and regulatory factors that limit park development, would support the development of a new citywide park to serve the greater community.

## **ENCLOSURES:**

- Exhibit A: 1.20 Acres Park Land Dedication at Paseo Padre Parkway

**RECOMMENDATION:**

1. Recommend the City Council find that the land at Paseo Padre Parkway adjacent to the Teen Center and shown in Exhibit A conforms to the Criteria for Selection of Park Sites in the City's General Plan.
2. Recommend the City Council dedicate 1.2 acres as park land at the Paseo Padre Parkway site as shown in Exhibit A.

**8. WRITTEN COMMUNICATIONS****9. COMMISSION REFERRALS****10. COMMISSION AND STAFF COMMUNICATIONS****11. ADJOURNMENT**